



CORPORATE HEALTH AND SAFETY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON MONDAY, 19TH NOVEMBER 2018 AT 10 A.M.

PRESENT:

Councillor D. Havard (Chair)
Councillor S. Kent (Vice-Chair)

Councillors:

M. Adams, P.J. Bevan, A G Higgs and W. Williams.

Together with:

R. Edmunds (Corporate Director – Education and Corporate Services), L. Donovan (Head of People Services), S. Richards (Head of Education, Planning and Strategy), Mark Williams (Interim Head of Property Services), D. Beecham (Electoral Services Manager), E. Townsend (Health and Safety Manager), A. Wigley (Health and Safety Officer) and A. Dredge (Committee Services Officer).

There were no Trade Union Representatives in attendance.

1. TO ELECT A CHAIR OF THE COMMITTEE FOR THE ENSUING YEAR

It was moved and seconded that Councillor D. Havard be elected as Chair for the ensuing year. By a show of hands this was unanimously agreed.

2. TO ELECT A VICE-CHAIR OF THE COMMITTEE FOR THE ENSUING YEAR

It was moved and seconded that Councillor S. Kent be elected as Vice-Chair. By a show of hands this was unanimously agreed.

3. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor D. T. Hardacre.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made at the commencement or during the course of the meeting.

5. MINUTES – 25TH JUNE 2018

RESOLVED that the minutes of the Corporate Health and Safety Committee held on Monday, 25th June 2018 be approved as a correct record and signed by the Chair.

REPORTS OF OFFICERS

Consideration was given to the following reports:

6. ACCIDENT STATISTICS REPORT FOR APRIL - SEPTEMBER 2018.

The report provided the Committee with the numbers and types of work related accidents/incidents that occurred during the period of April to September 2018 (inclusive). In accordance with legislation, the Council is responsible for the reporting of injuries, diseases and dangerous occurrences to the Health and Safety Executive (HSE) as well as implementing preventative and protective measures to prevent foreseeable workplace accidents occurring.

Members were advised that Officers are in the process of updating the accident/Incident Reporting and Investigation Policy. Although the policy currently includes near miss reporting this will allow Officers to review the process for near miss reporting.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013 require accidents which arise as a result of, or in connection with, work to be categorised and reported to the Health and Safety Executive (HSE). The Officer summarised the categories that include fatal accident, specified injury, accidents which cause an employee to be away from work, work related accidents and non-reportable accidents.

Details of all of the accidents that had been reported to the Health and Safety Division between April and September 2018 were appended to the report.

Having fully considered the report, Members noted its contents and thanked the Officers for responding to queries raised during the course of the debate.

7. RECENT HEALTH AND SAFETY EXECUTIVE UPDATES.

The Committee were updated in relation to recent Accidents, incidents and prosecutions across the UK, so that Members are kept informed of any matters that could impact on the management of Health and Safety within the Council.

Members were referred to paragraph 4 in the report that set out details of recent cases which led to successful prosecutions. The first case related to Bridgend Council which had been fined £300,000 and ordered to pay £29,228 in costs after a pupil was killed when he was hit by a minibus on school grounds. The hearing at Cardiff Crown Court on Friday 2nd November 2018 was told that the pupil's death could have been avoided. The second case related to Kent County Council which had been fined £200,000 after asbestos was disturbed at Lansdowne Primary School. The Health and Safety Executive (HSE) found that the flue and gasket rope were attached to a steriliser unit that was removed by the caretaker. The

investigation also found that neither the caretaker nor the head teacher had any asbestos management or awareness training. The council failed to effectively prevent exposure and failed to provide suitable training to those liable to be exposed to asbestos. The Council pleaded guilty to breaching Regulation 10 (1) of the Control of Asbestos Regulations 2012 and was fined £200,000 and ordered to pay costs of £21,500.

The third case related to Comhairle Nan Eilean Siar, the Local Authority which covers the Western Isles, had been fined after a boy suffered chemical burns. An investigation by the Health and Safety Executive (HSE) found that due to the Council's failure to wash away the solution, or cordon off the area, the children were able to access the area. The investigation also found the risk assessment in place did not consider there was a risk to members of the public. The Council pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and was fined £12,000 and ordered to pay a compensation order of £6,000. The fourth case related to Hull City Council which had been fined £185,000 and ordered to pay an additional £44,442.71 in costs after being prosecuted by the HSE for failing to control the risk of employees working ice at The Hull Ice Arena. An investigation by the HSE found there had been a number of previous incidents of employees slipping and falling on ice. Hull City Council pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc Act 1974.

The final case related to a private company namely, Cambus Limited. A bus driver has been sentenced to 12 weeks imprisonment, suspended for 12 months, and ordered to pay costs of £2,000 after he lost control of the bus he was driving, injuring five of his passengers. An investigation by the Health and Safety Executive (HSE) found the driver was reading a time duty card whilst driving and therefore had no vision of the busway ahead nor did he have a grip of the steering wheel. The investigation also found he was driving at speeds of 52mph when the maximum recommended speed in that area was 30mph. The driver pleaded guilty to breaching Section 7(1) of the Health and Safety at Work etc Act 1974 that places a legal duty upon employees to take reasonable care for themselves and others who may be affected by their acts or omissions, and to co-operate with their employer to ensure their employer is able to comply with their own legal obligations (e.g. follow safety instructions and/or use safety equipment provided by their employer in the manner instructed and trained).

The Committee discussed the cases and were reassured that the Health and Safety Team will work with Senior Managers to review policies and processes related to any of the incidents detailed within this report. This will ensure that the Council is managing risk appropriately and that policies and procedures are fit for purpose.

Having fully considered the report, Members noted its contents and thanked the Officers for responding to queries raised during the course of the debate.

The meeting closed at 10.30 am.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 18th February 2019, they were signed by the Chair.

CHAIR